

Docket No. 501.43326X00
Serial No. 10/733,316
Office Action dated January 23, 2007

REMARKS

I. Introduction

By the present Amendment, claims 1 and 8 have been amended. Claims 31-38 have been cancelled. Accordingly, claims 1-4 and 8-12 remain pending in the application. Claims 1 and 8 are independent.

II. Office Action Summary

In the Office Action of January 23, 2007, claim 1 was rejected because of an informality. Claims 1-4 and 8-12 were rejected under 35 USC §101, as being directed to non-statutory subject matter. This rejection is respectfully traversed.

III. Objection to Claim

Claim 1 was objected to because of an informality. Regarding this objection, the Office Action identifies a grammatical error in the claim.

By the present Amendment, Applicants have amended independent claim 1 to correct this error. Withdrawal of this objection is therefore respectfully requested.

IV. Rejections under 35 USC §101

Claims 1-4 and 8-12 were rejected under 35 USC §101, as being directed to non-statutory subject matter. Regarding this rejection, the Office Action indicates that the claims define an abstract idea for a method of transmitting images. The Office Action further indicates that the claims do not provide a concrete and tangible result.

By the present Amendment, Applicants have amended independent claim 1 to define a method of transmitting image information that comprises the steps of:

Imaging an object by using a digital camera means so that a digital image of said object is acquired;

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subjecting said acquired digital image to an image falsification prevention treatment;

detecting a defect on said object by processing the results of said image falsification prevention treatment and extracting a feature of a detected defect;

transmitting said processed digital image and information corresponding to said detected defect and its extracted feature via communications means;

receiving said processed digital image and information corresponding to said detected defect and its extracted feature;

checking said received digital image to detect the presence of image falsification;

storing said received and falsification checked digital image, information of said detected defect, and its extracted feature in a memory; and

outputting the received and falsification checked data, information of the detected defect, and its extracted feature to a display device.

According to independent claim 1, an object is imaged and subjected to an image falsification prevention treatment. Next, defects on the object are detected by processing the results of the image falsification prevention treatment and features of any detected defects are extracted. The processed digital image and information corresponding to the detected defect are transmitted via appropriate communication means. The processed digital information is received and information corresponding to the detected defect and its extracted features are received and checked to detect the presence of image falsification. The digital image, information regarding the detected defect, and the extracted features are subsequently stored in memory. Finally, the received and falsification checked data, information concerning the detected defect, and its extracted features are output to a display device. As can be seen, independent claim 1 now produces a useful and tangible result that can assist in the prevention of falsification of digital image data.

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Applicants therefore respectfully submit that, as amended, independent claim 1 is in full compliance with the statutory requirements of 35 USC §101. Withdrawal of this rejection is therefore respectfully requested.

Claims 2-4 depend from independent claim 1, and also define methods that produce useful and tangible results are required by 35 USC §101. Accordingly, these claims are also believed to be allowable.

Independent claim 8 has been amended to define a method of transmitting image information that comprises the steps of:

imaging an object by using a digital camera means so that a digital image of said object is acquired;

subjecting said acquired digital image to an image falsification prevention treatment;

transmitting said the results of said image falsification prevention treatment for said digital image via communications means;

receiving the results of said image falsification prevention treatment and information corresponding to said detected defect and its extracted feature;

checking the received results of said image falsification prevention treatment for said digital image to detect the presence of falsification; and

storing said received and falsification checked digital image in a memory; and

detecting defects on said object by processing said falsification checked and stored digital image and extracting a feature of a detected defect; and

outputting the detected defects to a display device.

According to at least one feature of independent claim 8, once the defects have been detected, they are output to a display device so that they can be used in preventing falsification of the digital image data. Accordingly, independent claim 8 now provides a useful and tangible result.

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Applicants therefore respectfully submit that independent claim 8 satisfies the requirements of 35 USC §101. Withdrawal of this rejection is therefore respectfully requested.

Claims 9-12 depend from independent claim 8. These claims also produce useful and tangible results and satisfy the requirements of 35 USC §101.

V. Prior Rejections and Responses

Applicants respectfully submit that all previous rejections have been fully addressed and traversed. The instant Office Action does not raise new grounds of rejections to reject the claims.

In accordance with the USPTO Policy, the MPEP §707.07(f) states, "where the requirements are traversed, or suspension thereof requested, the examiner should make proper reference thereto in his or her action on the amendment. Where the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant's argument and answer the substance of it." More particularly, MPEP §707.07(f) states in relevant *verbatim*, "The importance of answering applicant's arguments is illustrated by *In re Herrmann*, 261 F.2d 598, 120 USPQ 182 (CCPA 1958) where the applicant urged that the subject matter claimed produced new and useful results. The court noted that since applicant's statement of advantages was not questioned by the examiner or the Board of Appeals, it was constrained to accept the statement at face value and therefore found certain claims to be allowable. See also *In re Soni*, 54 F.3d 746, 751, 34 USPQ2d 1684, 1688 (Fed. Cir. 1995) (Office failed to rebut applicant's argument)." Since the Examiner has not responded to Applicants' arguments and statements traversing the rejection of claims over the previously applied art, Applicants respectfully submit that the

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Examiner has acquiesced to Applicants' reasons for patentability over those references.

VI. Conclusion

For the reasons stated above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a Notice of Allowance is believed in order, and courteously solicited.


If the Examiner believes that there are any matters which can be resolved by way of either a personal or telephone interview, the Examiner is invited to contact Applicants' undersigned attorney at the number indicated below.

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AUTHORIZATION

Applicants request any shortage or excess in fees in connection with the filing of this paper, including extension of time fees, and for which no other form of payment is offered, be charged or credited to Deposit Account No. 01-2135 (Case: 501.43326X00).

Respectfully submitted,
ANTONELLI, TERRY, STOUT & KRAUS, LLP.


Leonid D. Thenor
Registration No. 39,397

LDT/vwr
1300 N. Seventeenth Street
Suite 1800
Arlington, Virginia 22209
Tel: 703-312-6600
Fax: 703-312-6666

Dated: April 20, 2007